HIGH COURT LEGAL SERVICES COMMITTEE, BANGALORE

BEFORE THE LOK ADALAT

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 11TH DAY OF OCTOBER, 2013

CONCILIATORS PRESENT

THE HON'BLE MR. JUSTICE B. SREENIVASE GOWDA

AND

SRI. SHUKLAKSHA PALAN, MEMBER

R.F.A. No.926 of 2003
IN
LOK ADALAT No.418 OF 2013

BETWEEN:

M.Veeraiah,
s/o. Channaveeraiah,
Age 63 years,
R/o. No.317/3, Dixith Road,
K.B Extension,
Davanagere. ... Appellant

(By Sri. B.M. Halaswamy, Adv.)

A N D:

Davanagere Sugar Co.Ltd.,
Represented by its Managing Director,
Kukkuvada,
Davangere Taluk,
Davanagere District. ... Respondent

(By Sri. R.S.Ravi, Adv.)

This RFA filed U/S 96 of CPC against the order dated 1-4-2003 passed in O.S.No.407/2000 on the file of the Principal Civil Judge (Sr.Dn.), Davanagere, dismissing the suit for recovery of money.

This appeal coming on for conciliation before Lok Adalat after being referred vide Order dated 16.09.2013, the following order is passed.

CONCILIATION ORDER

This appeal is by the unsuccessful plaintiff challenging the judgment and decree passed by the trial Court in dismissing his suit brought for the relief of recovery of money stated to have been due to him by the respondent – Sugar Company.

2. In the meanwhile, the respondent – Co. has paid the principal amount of the suit claim i.e. Rs.1,93,066/- to the plaintiff – appellant and consequently the suit came to be dismissed. The plaintiff has brought this appeal on the ground that he is entitled to receive interest on the aforesaid amount for the delayed period.

3. Pursuant to the suggestion made by this Adalath, the Administrative Officer of the respondent – Co. obtained the approval of the Managing Director of the Co. to pay a sum of Rs.53,933/- for the delayed period. Appellant has agreed to receive the said amount towards full and final settlement of the suit claim and parties have filed a joint memo to that effect and the same is taken on record.

4. In view of settlement of the dispute before the Adalath, appellant is entitled for refund of the Court fee.

Accordingly, the appeal stands disposed of in terms of the Joint memo. Office to draw decree in terms of the joint memo and refund the Court fee paid on the appeal memo to the appellant.

Sd/-
JUDGE

Sd/-
MEMBER

Mgn/-